

MR

OLC RECORD COPY

OLC 78-0232

15 FEB 1978

MEMORANDUM FOR: Mr. John F. Blake, Deputy Director for Administration

STAT FROM : [REDACTED] Acting Legislative Counsel
SUBJECT : Lifting of the Moratorium on the Destruction of Agency Documents [REDACTED]

STAT

STAT 1. [REDACTED] We discussed with Professor G. Robert Blakey, Chief Counsel and Director, House Select Committee on Assassinations, if his Committee would have any objection to the resumption of normal destruction of documents in view of the decision of the Senate Select Committee on Intelligence to lift the moratorium. Attached is a copy of the Director's letter to Chairman Thomas N. Downing not to lift the moratorium without the Committee's approval.

STAT 2. [REDACTED] Mr. Blakey requested that since the Committee's review of Agency documents is in high gear, he did not want to discuss the lifting of the moratorium for at least six weeks when he feels most of the review will be completed. I am pleased to note that the Committee staff was most appreciative of the assistance provided by [REDACTED] explaining Agency documents and filing systems which greatly facilitated the Committee's review.

STAT

STAT 3. [REDACTED] It is requested that the moratorium remain in effect. We will, together with [REDACTED] contact the Committee in six weeks and at that time seek clearance for the lifting of the moratorium to resume normal destruction.

STAT

STAT Attachment

cc: [REDACTED]

Distribution:

Orig - Adse
1 - OLC/Subj
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151

[REDACTED]

STAT

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77-9253/2

OLC - 77 - 5740

United States Senate

SELECT COMMITTEE ON INTELLIGENCE

(PURSUANT TO S. RES. 64, 94TH CONGRESS)

WASHINGTON, D.C. 20510

December 21, 1977

HC5
SSC
77-824

IN REPLY PLEASE
REFER TO Q#1237

Admiral Stansfield Turner
Director
Central Intelligence Agency
Washington, D. C. 20505

Dear Admiral Turner:

On July 17, 1976 I requested that the moratorium on destruction of intelligence and investigative records originally requested by Senators Mansfield and Scott be extended through December 17, 1976. No further extensions have been formally requested. Therefore, all agencies maintaining records pursuant to the moratorium may return to normal records destruction policies.

I would request that any changes in records maintenance or destruction procedures affecting intelligence or investigations which have been promulgated since the moratorium was instituted as well as any future changes in procedures be brought to the attention of the Senate Select Committee on Intelligence.

Aloha,


Daniel K. Inouye
Chairman

Washington, D.C. 20508

DIS RECD 2027

HSCA

8 DEC 1976

Honorable Thomas N. Downing, Chairman
Select Committee on Assassinations
House of Representatives
Washington, D. C. 20515

Date

H	S	C	A
77-0012			

Dear Mr. Chairman:

STW
P. [redacted] of my staff, has relayed to me the interest of your Chief Counsel, Mr. Richard Sprague, that records related to the investigation of the deaths of John F. Kennedy and Martin Luther King, Jr. not be destroyed once the "moratorium" on the destruction of Agency records is lifted. Let me assure you that there is no cause for concern.

The "moratorium" was imposed on the destruction of CIA records in 1975 during the investigation by the Senate Select Committee to Study Governmental Operations with Respect to Intelligence Activities and will expire on 10 December 1976. At that time regular document destruction will begin in accordance with records control schedules approved by the Archivist of the United States and subject to review by the Senate Select Committee on Intelligence. The Agency's policy in regard to the lifting of the destruction "moratorium" and the application of records control schedules to the orderly disposition of Agency records was published in the Federal Register, a copy of which is enclosed.

It is CIA's policy to fully support investigative bodies of the Executive, Legislative, or Judicial Branch, and we will continue to do so. Once the "moratorium" is lifted, we will destroy no materials which would appear to relate to your investigations or be of interest to your Committee. Further, we will make available for your review the lists for disposition of records prepared for the Archivist at the same time these lists are submitted to the Senate Select Committee on Intelligence. Material designated for destruction in the lists will not be destroyed until your Committee notifies the Agency that it has completed its review, and has no objection. To date, 15 lists have been furnished to the Senate Select Committee and they will be made available for your review immediately.

I assure you that no documents which we are aware of as being related to your investigation will be destroyed.

Sincerely,

SIGNED

George Bush

Enclosure

Distribution:

Orig. - Addressee w/encl.

1 - DCI w/encl.

1 - DDCI wo/encl.

1 - DDO w/encl.

STAT 1 - DDA [redacted] w/encl.

1 - OGC w/encl.

1 - IG w/encl. OLC/Subj. w/encl.

1 - ER w/encl. OLC/Chrono wo/encl.

OLC:PLC:dla (typed 7 December 1976)

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filings of petitions and applications, and agency statements of organization and functions are examples of documents appearing in this section.

PARTMENT OF AGRICULTURE : State, and local agencies as outlined in the CEQ guidelines.

Forest Service : R. MAX PATERSON, Deputy Chief, Forest Service.

ISCADE HEAD SCENIC-RESEARCH AREA : NOVEMBER 16, 1976.

Availability of Final Environmental Statement : [FPR Doc. 75-34333 Filed 11-16-76; 8:45 am]

Quant to section 102(2)(C) of the Final Environmental Policy Act of the Forest Service, Department of Agriculture, has prepared a Final Environmental Statement for the Managed Plan on the Cascade Head Scenic-Research Area, USDA-FS-FES (Adm). Packers and Stockyards Administration.

JOE TATE COMMISSION BARN, INC., LEBEAU, LOUISIANA, ET AL

Depositing of Stockyards

It has been ascertained, and notice is hereby given, that the livestock markets named herein, originally posted on the respective dates specified below as being subject to the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), no longer come within the definition of a stockyard under said Act and are, therefore, no longer subject to the provisions of the Act.

Facility No. Name and Location of Stockyard Date of Posting

LA-121 Joe Tate Commiss. Barn, Lebeau, La.

TX-123 Lincoln Livestock Auction Yards, Lincoln, Mich.

PA-118 Greenville Livestock Auction, Greenville, Pa.

SC-126 Greer Livestock Co., Greer, S.C.

TX-130 Community Exchange, Inc., Inburg, Tex.

VI-108 Whiting Livestock Commission Sales, Whiting, Vt.

Notice or other public procedure has not preceded promulgation of the foregoing rule. There is no legal justification for not promptly depositing a stockyard which is no longer within the definition of that term contained in the Act.

The foregoing is in the nature of a rule relieving a restriction and may be made effective in less than 30 days after publication in the FEDERAL REGISTER. This notice shall become effective on November 22, 1976.

(42 Stat. 159, as amended and supplemented; 7 U.S.C. 181 et seq.)

Done at Washington, D.C. this 16th day of November, 1976.

Edward L. Thompson,
Chief, Registrations, Bonds, and
Reports Branch, Livestock
Marketing Division.

As of the Environmental Statement have been sent to various

CENTRAL INTELLIGENCE AGENCY
CONTROL OF RECORDS DESTRUCTION

Procedures and Policy

On September 7, 1976 a notice was issued to all CIA personnel setting out policy and procedures for the control of records destruction. The purpose of this Notice is to insure that destruction of unnecessary or improperly maintained records is carried out in the manner prescribed by statute and by clearance of the Senate Select Committee on Intelligence.

Records subject to the moratorium on destruction will not be destroyed prior to December 10, 1976.

The text of the Notice is as follows:

RECORDS CONTROL SCHEDULES AND THE DESTRUCTION MORATORIUM

(1) CIA has statutory obligations (44 U.S.C. 33) to obtain approval of the Administrator of General Services for the retention and destruction of records. The mechanism for obtaining G.S. approval is the submission of records control schedules to the National Archives and Records Service (NARS) for approval by the Archivist of the United States. GSA Bulletin FPMR B-62, dated 22 January 1976, requires Federal agencies to submit to NARS updated records control schedules by 31 December 1976. In a memorandum, dated 20 April 1976, the DCI directed that Agency records control schedules be updated by 30 September 1976 and processed through the Directorate of Administration for approval by NARS prior to the destruction of records.

(2) Senate Resolution 21, dated 21 January 1975, established the Senate Select Committee to Study Governmental Operations With Respect to Intelligence Activities. The Senate leadership requested in a letter dated 27 January 1975 that the Agency not dispose of any records or documents bearing on the subjects under investigation by the Select Committee. In a memorandum dated 23 January 1975, Mr. Colby directed that any records or documents that may have a bearing on Senate Resolution 21 not be destroyed. This was extended to include practically all Agency documents. This hold on destruction has since been referred to as "the moratorium." In a letter to the Senate leadership dated 23 June 1976, the DCI extended the moratorium on destruction of records until 10 December 1976.

(3) CIA policy on destruction of records

(a) All records, including those failing under **Approved For Release 2004/05/21 : CIA-RDP81M00980R00070003002467**, covered by records control schedules approved by NARS (with a copy provided to the Senate Select Committee on Intelligence) prior to their destruction.

(b) "Routine" administrative records not involved under Senate Resolution 21 that are scheduled for immediate destruction will be destroyed upon receipt of NARS approval and after appropriate clearance from the Senate Select Committee.

(c) Records involved under Senate Resolution 21 that are scheduled for immediate destruction will be destroyed after NARS approval, and appropriate clearance from the Senate Select Committee but in no case prior to 10 December 1976.

(d) Any Agency documents and materials that are identified by the General Counsel as the subject of litigation or of possible litigation, or as of interest in matters under investigation by the Justice Department, will not be destroyed without the prior approval of the General Counsel. This includes documents and materials relating to Freedom of Information Act and Privacy Act requests to the Agency.

(e) Extra copies of documents preserved only for convenience of reference or for distribution stocks of publications may be destroyed when no longer needed.

John F. Blakes,
Deputy Director for Administration,

[FBI Doc.34303 Filed 11-17-76 3:13 AM]

CIVIL AERONAUTICS BOARD

[Order 78-11-73; Docket 27302, Agreement C.A.B. 28203; Docket 29123, Agreement C.A.B. 26204 R-1 through R-6; Agreement C.A.B. 26203 R-1 and R-2, R-3 through R-9; Agreement C.A.B. 36214, Agreement C.A.B. 28231]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Passenger Fare Matters

Agreements have been filed with the Board pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations between various air carriers, foreign air carriers and other carriers embodied in the resolutions of the Traffic Conferences of the International Air Transport Association (IATA). The agreements were adopted at either the Special Composite Passenger and Cargo Traffic Conference-Currency or the Composite Passenger Traffic Conference both held in Miami during August and September-October, respectively, of this year and, unless otherwise noted, intended for effect in November or December of 1976.

The agreements would have either direct application in air transportation as defined by the Act as follows: Agreement C.A.B. 26202 would exempt Fiji domestic and add-on fares from application of a currency-related surcharge on passenger fares originating in that country. Agreements

to Area 2 (Europe/Ciddle East/Africa), contained by 5 percent, a

number of proportional fares used to construct through fares over the Mid-Atlantic. Agreement C.A.B. 26205 would permit departure from the IATA fare construction rules for certain specified intra-Pacific routings, increase passenger fares between most Middle Eastern points by 3 percent, increase passenger fares between Italy/Paris and Tel Aviv by 5 percent, and amend certain South Atlantic proportional fares. Agreement C.A.B. 26214 would permit an existing exception to the IATA fare construction rules for certain Mid-Atlantic normal economy fares to continue through March 31, 1977. Finally, Agreement C.A.B. 26231 would increase all passenger fares between certain Middle Eastern points and points on the Indian Sub-

Agreement	IATA	CAB	No.	Title
32201				
R-1	CS4b(7)			Mid-Atlantic First-Class Fares (Amending)
R-2	CS4b(11)			Mid-Atlantic Economy-Class Fares (Amending)
R-3	CS4b(11)			Mid-Atlantic First-Class Fares (Amending)
R-4	CS4b(11)			Mid-Atlantic Economy-Class Fares (Amending)
R-5	CS4b(11)			Mid-Atlantic First-Class Fares (Amending)
R-6	CS4b(11)			Mid-Atlantic Economy-Class Fares (Amending)

2. It is not found that the following resolutions, incorporated in as indicated and which have indirect application in air transportation by the Act, are adverse to the public interest or in violation of the

Agreement	IATA	CAB	No.	Title
32201				
R-1	CS2b			Special Rules for Sales of Passenger Air Transportation (Amending)
R-2	CS2b			Special Amending Resolution (Expeditied)
R-4	CS2b			General Increase in Passenger Fares (Expeditied) (New)
R-5	CS2b			South Atlantic Normal First-Class Fares (Expeditied) (New)
R-7	CS2b			South Atlantic Economy-Class Fares (Expeditied) (Amending)
R-8	CS2b			Special Amending Resolution (Expeditied) (Amending)
32214	CS2b			Special Amending Resolution (Expeditied) (Amending)
32231	CS2b			General Increase in Passenger Fares (New)

3. It is not found that the following resolutions, incorporated in C.A.B. 26205 as indicated, affect air transportation within the meaning

Agreement	IATA	CAB	No.	Title
32201				
R-6	CS5			Passenger Charters (Expeditied) (Amending)
R-9	CS2b			CS2b-TCA Group Inclusive Tour Fares—Asia/South West Pacific (Expeditied) (Amending)

Accordingly, it is ordered, That:

1. These resolutions set forth in including paragraphs one and two above be and hereby are approved; and

2. Jurisdiction be and hereby is disclaimed with respect to the resolutions set forth in finding paragraph three above.

Persons entitled to petition the Board for review of this order, pursuant to the Board's Regulations, 14 CFR 265.50, may file such petitions within ten days after the date of service of this order.

This order shall be effective and become the action of the Civil Aeronautics Board upon expiration of the above period, unless within such period a petition for review is filed.

Board gives notice that it

order on its own motion.

This order will be put

FEDERAL REGISTRY.

PHILLIPS

[FBI Doc.76-31963 Filed 11-

[Order 78-11-22 Dec.

UNITED AIR LINES

Round-Trip Charter CR

Discounted Ctr

Adopted by the Civil Aer

at its office in the Bureau

day of November, 1976